

SEPTEMBER 11, 2003

6101 BLK, 6211, 6200-6400 BLKS BICKETT RD, 7200-7300 BLKS HORRELL RD

ZONE CHANGE

From:	EX-1 Coal Mining, A-R Rural Agriculture	
To:	A-R Rural Agriculture	
Acreage:	187.48 acres	
Applicant:	James C. Bickett (0309.1530)	
Property Zone Existing Use	to North A-R Row crops	
to West A-U Row crops	Subject EX-1, A-R ↔ A-R Row crops, farmland	to East EX-1 Wooded, row crops
	to South A-R Row crops	

**GENERAL LAND USE CRITERIA
Apply, if marked below:**

Described in Comprehensive Plan on pages 445-448

Environmental ☒

- E1** Flood Plains
- ☒ **E2** Steep Slope
- E3** Historical & Archaeological Sites
- ☒ **E4** Soils
- E5** Plant & Animal Life

Urban Services ☒

- U1** Roadway Capacity
- U2** Electricity Supply
- U3** Water Supply
- U4** Stormwater Disposal
- U5** Sanitary Sewage Disposal

Development Patterns ❖

- D1** Land-Use Intensity, Clusters and Buffers
- D2** Land Use versus Street Function
- D3** Intersection & Driveway Spacing
- D4** Roadway Buffer Standards
- D5** Lot Sizes & Proportions
- D6** Residential Development
- D7** Non-Residential Development
- D8** Building Quality

Proposed Zone & Land Use Plan

The applicant is seeking an A-R Rural Agriculture zone. The subject property is located in a Rural Maintenance Plan Area, where agricultural/forestry uses are appropriate in general locations.

SPECIFIC LAND USE CRITERIA

- (a) Conservation of agricultural topsoil** – Agricultural topsoil should be conserved through appropriate farming practices.

Applicant's Findings

The proposed rezoning is in compliance with the Comprehensive Plan. The Generalized Land Use element of the Comprehensive Plan recommends (in general locations) agricultural/forestry and rural farm residential as two primary land uses for this family farm location. The farm is situated within a “Rural Preference” are, immediately outside of the West Louisville rural community designation.

An EX-1 (Coal Mining) rezoning was approved in early 1982 anticipating strip-mining operations. No mining has occurred on this farm since said rezoning became effective. The property has continued to enjoy agricultural and forestry land uses for over two decades. The entire property exhibits agricultural characteristics and; in fact; has been an active/continuous farming operation since the 1982 rezoning occurred. Adequate urban services are available to serve the rural farm residential land use.

No major topsoil disturbance has occurred after the 1982 rezoning. Mature woodlands have been maintained on the farm areas of steeper slopes, which are not conducive to row crops nor grassland.

The current zoning classification is inappropriate inasmuch as:

1. Mineral extraction has not occurred for over five decades;
2. No strip mining has ever occurred on the site;
3. Under the means and methods available through current technology, mineral extraction is neither practical nor affordable; as witnessed by over 50 years of coal mining dormancy on the site.

Planning Staff Review

The subject property is a farm comprised of several large tracts with frontage in the 6101, 6100 and 6200 blocks of Bickett Rd and frontage in the 6200 through 6400 blocks of Horrell Rd. Land use criteria applicable to this request are reviewed below.

GENERAL LAND USE CRITERIA

Environment

A portion of the subject property is located in a floodplain with a base flood elevation of 386 feet above sea level. The property also contains some steep slopes, which have been maintained as woodlands. The property contains prime agricultural farmland as identified on the Map of Important Farmlands compiled by the U.S. Department of Agriculture Farm Conservation Service in 1976.

No other important environmental criteria are applicable to the subject property.

Urban Services

According to the applicant, water, electricity and gas service are available to the subject property.

Development Patterns

The subject property is currently in agricultural production and is located in an area of chiefly agricultural uses with scattered rural residential uses. The subject property was rezoned to EX-1 in 1982 in anticipation of coal mining, but has remained in agricultural use and no mining has occurred on the subject property.

SPECIFIC LAND USE CRITERIA

A large portion of the property contains prime farmland, which should be conserved through appropriate farming practices.

Planning Staff Recommendations

Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan. Findings of fact in support of this recommendation follow.

1. The subject property is located in a Rural Maintenance Plan Area, where agricultural uses are appropriate in general locations;

2. The subject property has remained in agricultural use since being rezoned for Coal Mining in 1982 and the applicant states that there are no plans to conduct coal mining activities on the subject property; and,
3. The subject property contains significant areas of prime farmland, which can be maintained through appropriate farming practices.